

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Application

Inventors: Gluckman, et al.

Appl. No.: 10/568,573

Confirm. No.: 7135

Filed: February 16, 2006

Title: SOMATOGENIC THERAPY USING A 20kda  
PLACENTAL VARIANT OF GROWTH  
HORMONE

PATENT APPLICATION

Art Unit:

Examiner:

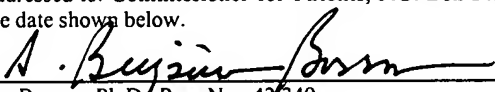
Customer No. 23910

Based from International Appli. No.: PCT/US2004/027187

International Filing Date: August 19, 2004

**CERTIFICATE OF TRANSMISSION/MAILING UNDER 37 C.F.R. §1.8**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

 (Attorney Signature)  
D. Benjamin Borson, Ph.D., Reg. No.: 42,349  
Signature Date: July 31, 2006

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §1.56**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

It is requested that the information identified in this statement be considered by the Examiner and made of record in the above-identified application. This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in 37 C.F.R. §1.56. If this is a continuation, divisional or continuation-in-part application, it is understood that the Examiner will consider all information which was considered by the Office in a parent application. MPEP §609. Such information therefore is not listed herein unless it is desired that the information be printed on a patent issuing from the subject application.

***Enclosed with this statement are the following:***

- ☒ Form PTO-1449. The Examiner is requested to initial the form and return it to the undersigned in accordance with M.P.E.P. §609.
- ☒ As allowed under 37 C.F.R. § 1.98(a)(2)(ii), no copies of the U.S. patents and U.S. patent application publications are enclosed, unless required by the office.

✓ A copy of an International Search Report dated June 29, 2006 for International Application No. PCT/US05/026061 (Atty. Doc. No. ERNZ-01082WO1).

*This statement should be considered because:*

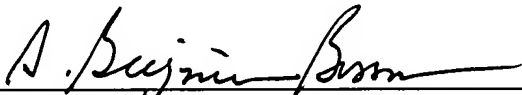
✓ 37 C.F.R. §1.97(b). This statement qualifies under 37 C.F.R. §1.97, subsection (b) because:

- (1) It is being filed within three months of the filing date of an application other than a continued prosecution application under § 1.53(d);  
-- OR --
- (2) It is being filed within 3 months of entry of a national stage;  
-- OR --
- (3) It is being filed before the mailing date of the first Office Action on the merits,  
-- OR --
- (4) It is being filed before the mailing date of the first Office Action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

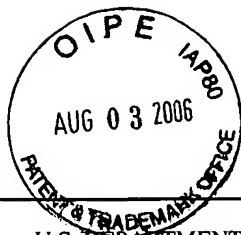
**Fee Authorization.** The Commissioner is hereby authorized to charge any deficiencies or credit any overpayment to Deposit Account No. 06-1325.

Respectfully submitted,  
FLIESLER MEYER LLP

Date: July 31, 2006

By:   
D. Benjamin Borson, Ph.D., Reg. No.: 42,349

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Sheet 1 of 1

Form PTO-1449 (Substitute)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		Attorney Docket Number <b>ERNZ-01082US3</b>		Application/Patent Number <b>10/568,573</b>	
<b>Information Disclosure Statement</b> <b>BY APPLICANT</b> <i>(Use several sheets if necessary)</i>				Applicant/Patent Owner <b>Gluckman, et al.</b>			
				Filing/Issue Date <b>February 16, 2006</b>		Group Art Unit	
<b>FOREIGN PATENT DOCUMENTS</b>							
Examiner Initial		Document Number	Publication Date	Country	Class	Subclass	Trans- lation Yes   No
		WO 98/513323	19 Nov. 1998				✓
<b>OTHER DOCUMENTS</b> (Include author (if any), title, publisher and place of publication, date and pertinent pages)							
		M. Ishikawa, et al., Comparison of the Somatogenic Action of 20 kDa- and 22 kDa-human Growth Hormones in Spontaneous Dwarf of Rats, <u>Growth Hormone and IGF Research</u> 2000 10: 199-206; see whole document.					
		K. L. Hull, et al., Growth Hormone Therapy and Quality of Life: Possibilities, Pitfalls and Mechanisms, <u>Journal of Endocrinol.</u> 2003, 179: 311-333; p. 313, under GH Deficiency, p. 314, left column 2 <sup>nd</sup> paragraph: p. 320, left column, 1 <sup>st</sup> and 2 <sup>nd</sup> paragraph; p. 322, under Neuromodulation and Brain Growth and Development: p. 324, under Bone; p. 325, whole page.					
		Leena Patel, et al., Growth and Growth Charts in Cystic Fibrosis, <u>Journal of the Royal Society of Medicine</u> , Suppl 43, Vol. 96, 2003; 35-41, see p. 40 under Conclusions					
		Laura C. G. De Graaf, et al., Body Proportions Before and During Growth Hormone Therapy in Children with Chronic Renal Failure, <u>Pediatr Nephrol</u> , 2003 Jul; 18(7);679-84. Epub 2003 May 7; see p. 683, right column, last paragraph.					
		Lars Hagenas, et al., Skeletal Dysplasia, Growth Hormone Treatment and Body Proportion: Comparison with Other Syndromic and Non-Syndromic Short Children, <u>Hormone Research</u> 2003; 60 Suppl 3:65-70; see abstract.					
Examiner				Date Considered			
<p><b>*EXAMINER:</b> Initial if citation considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.</p>							
<p>*1 = Copy not submitted because it was submitted in prior application SN <u>  </u> / <u>  </u>, filed <u>  </u>, 20<u>  </u>, relied on under 35 USC §120.</p> <p>**2 = Copy not submitted because it was submitted in prior application SN <u>  </u> / <u>  </u>, filed <u>  </u>, 20<u>  </u>, relied on under 35 USC §120.</p>							